

Introduced by Senator Mitchell

February 25, 2015

An act to amend Section 49455 of the Education Code, relating to pupil health.

LEGISLATIVE COUNSEL'S DIGEST

SB 402, as introduced, Mitchell. Pupil health: vision examinations.

Existing law requires a pupil's vision to be appraised by a school nurse or other authorized person in the pupil's kindergarten year or upon first enrollment in elementary school, and in grades 2, 5, and 8. Existing law requires color vision to be appraised only once, only on male pupils, and authorizes the color vision to be conducted after the male pupil has reached first grade. Existing law specifies that a pupil's vision may be appraised by using an eye chart or other scientifically validated photoscreening test, as specified. Existing law authorizes vision assessments to be waived by the pupil's parents upon presentation of a certificate from a physician and surgeon, a physician assistant, or an optometrist. Existing law requires the State Department of Education to adopt guidelines to implement those provisions.

This bill would instead require a pupil's vision to be examined by a physician, optometrist, or ophthalmologist at least every 2nd year after the pupil's kindergarten year or first enrollment, and would require the examination to be consistent with the most current standard, policy, or guideline adopted by the American Academy of Pediatrics, the American Academy of Ophthalmology, or the American Optometric Association. The bill would delete the provision specifying that a pupil's vision may be appraised using an eye chart or other scientifically validated photoscreening test, and instead would require a vision examination to include tests for visual acuity, binocular function, as well as refraction

and eye health evaluations. The bill would delete the provision providing for a waiver of the vision appraisal, and would also delete the provision requiring color vision to be only for male pupils after the pupil has reached first grade, and would instead require color vision to be examined once at enrollment. The bill would require the department to adopt regulations to implement the above-specified requirements relating to vision examinations, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 49455 of the Education Code is amended
2 to read:
3 49455. (a) ~~(1) During the kindergarten year or upon first~~
4 enrollment or entry in a California school district of a pupil at an
5 elementary school, and ~~in grades 2, 5, and 8, the pupil's vision~~
6 ~~shall be appraised by the school nurse or other authorized person~~
7 ~~under Section 49452. at least every second year thereafter until~~
8 ~~the pupil has completed grade 8, the pupil's vision shall be~~
9 ~~examined by a physician, optometrist, or ophthalmologist. This~~
10 ~~examination shall be consistent with the most current standard,~~
11 ~~policy, or guideline adopted by the American Academy of~~
12 ~~Pediatrics, the American Academy of Ophthalmology, or the~~
13 ~~American Optometric Association. This examination shall include~~
14 ~~tests for visual acuity, binocular function, as well as refraction~~
15 ~~and eye health evaluations. The parent or guardian of the pupil~~
16 ~~shall provide results of the examination to the school.~~
17 ~~(2) A pupil whose first enrollment or entry occurs in grade 4 or~~
18 ~~7 shall not be required to be appraised in the year immediately~~
19 ~~following the pupil's first enrollment or entry.~~
20 (b) The ~~appraisal examination~~ shall include tests for visual
21 acuity, including near vision, and color vision; however, color
22 vision shall be ~~appraised examined once and only on male pupils,~~
23 ~~at enrollment,~~ and the results of the ~~appraisal examination~~ shall
24 be entered in the health record of the pupil. ~~Color vision appraisal~~
25 ~~need not begin until the male pupil has reached the first grade.~~
26 ~~(c) The appraisal may be waived, if the pupil's parents so desire,~~
27 ~~by their presenting of a certificate from a physician and surgeon,~~
28 ~~a physician assistant practicing in compliance with Chapter 7.7~~

1 ~~(commencing with Section 3500) of Division 2 of the Business~~
2 ~~and Professions Code, or an optometrist setting out the results of~~
3 ~~a determination of the pupil's vision, including visual acuity and~~
4 ~~color vision.~~

5 ~~(d) A pupil's vision may be appraised by using an eye chart or~~
6 ~~any other scientifically validated photoscreening test.~~
7 ~~Photoscreening tests shall be performed, under an agreement with,~~
8 ~~or the supervision of, an optometrist or ophthalmologist, by the~~
9 ~~school nurse or a trained individual who meets requirements~~
10 ~~established by the department.~~

11 ~~(e)~~
12 ~~(c) Continual and regular observation of the pupil's eyes,~~
13 ~~appearance, behavior, visual performance, and perception that may~~
14 ~~indicate vision difficulties shall be done by the school nurse and~~
15 ~~the classroom teacher.~~

16 ~~(f)~~
17 ~~(d) This section shall not apply to a pupil whose parents or~~
18 ~~guardian file with the principal of the school in which the pupil is~~
19 ~~enrolling, a statement in writing that they adhere to the faith or~~
20 ~~teachings of any well-recognized religious sect, denomination, or~~
21 ~~organization and in accordance with its creed, tenets, or principles~~
22 ~~depend for healing upon prayer in the practice of their religion.~~

23 ~~(g)~~
24 ~~(e) The department shall adopt—guidelines regulations to~~
25 ~~implement this section, including training requirements and a~~
26 ~~method of testing for near vision. shall provide participation data.~~